

**UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA**

NEKESHA ROBERTSON,) **CASE NO.: 2:16-CV-02761 MJP**
 individually and as Successor in) **(SKx)**
 Interest to NICHOLAS ROBERTSON,)

deceased; N.Z.R., a minor,) **JUDGMENT**
 individually, by and through her)
 Guardian Ad Litem, PRECIOUS)
 BRADFORD; N.P.R., a minor,)
 individually, by and through her)
 Guardian Ad Litem, PRECIOUS)
 BRADFORD; N.D.R., a minor,)
 individually, by and through his)
 Guardian Ad Litem, PRECIOUS)
 BRADFORD; CHARLES)
 ROBERTSON, individually, and)
 ANTHONETT ROBERTSON,)
 individually,)

Plaintiffs,)

vs.)

COUNTY OF LOS ANGELES, et al.,)

Defendants.)

1 This action came on regularly for trial on November 28, 2017, in Courtroom
2 5B of the United States District Court, Central District of California, Western
3 Division, the Honorable Marsha J. Pechman, presiding. Plaintiffs Nekesha
4 Robertson, Anthonett Robertson, Charles Robertson, N.Z.R., N.P.R., and N.D.R.
5 were represented by Brian T. Dunn and Megan R. Gyongyos of The Cochran Firm
6 California. Plaintiffs N.Z.R., N.P.R., and N.D.R. are minors and their interests in
7 this action were represented by their Guardian Ad Litem, Precious Bradford.
8 Defendants County of Los Angeles, Deputy Richard Ochoa-Garcia, and Deputy
9 Jasen Tapia were represented by Antonio K. Kizzie and Rickey Ivie of Ivie,
10 McNeill & Wyatt.

11 A jury of eight persons was regularly empaneled and sworn. During the
12 course of the trial, two of the eight jurors were excused by the Court. Witnesses
13 were sworn and testified. After hearing the evidence, the jury was duly instructed
14 by the Court and the Cause was submitted to the jury. The jury deliberated and
15 thereafter returned into Court with a special verdict as follows:

16
17 WE, THE JURY, in the above-entitled action now reach our unanimous
18 verdict on the following questions submitted to us:

19
20 **Claim One – Excessive Force**

21
22 **Question 1:**

23 Have the plaintiffs proven by a preponderance of the evidence that any of
24 the following defendants violated Nicholas Robertson's constitutional rights by
25 using excessive force?

26 Deputy Richard Ochoa-Garcia	YES	NO	X
27 Deputy Jasen Tapia	YES	NO	X

If you answered “Yes” to this question as to any of the defendants, proceed to Question No. 2. If you answered “No” to this question as to all of the defendants, proceed to Question No. 6.

Question 2:

What is the total amount of damages to Nicholas Robertson that you find the plaintiffs have proven by a preponderance of the evidence?

\$ _____

Proceed to Question 3.

Claim Two – Deprivation of Familial Association

Question 3:

Have the plaintiffs proven by a preponderance of the evidence that any of the following defendants deprived any of the Plaintiffs of their familial association with Nicholas Robertson?

Deputy Richard Ochoa-Garcia	YES	NO
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Deputy Jasen Tapia	YES	NO
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If you answered “Yes” to this question as to any of the defendants, proceed to Question No. 4. If you answered “No” to this question as to all of the defendants, proceed to Question No. 5.

Question 4:

Have the plaintiffs proven by a preponderance of the evidence that any of the following individuals were deprived of their familial association with Nicholas Robertson by any of the defendants?

Anthonette Robertson	YES	NO
Charles Robertson	YES	NO
Nekesha Robertson	YES	NO
N.Z.R.	YES	NO
N.P.R.	YES	NO
N.D.R.	YES	NO

Proceed to Question 5.

Claim Three – Wrongful Death Based on Battery

Question 5:

Have the plaintiffs proven by a preponderance of the evidence that any of the following defendants harmed Nicholas Robertson by using unreasonable force against him?

Deputy Richard Ochoa-Garcia	YES	NO
Deputy Jasen Tapia	YES	NO

Proceed to Question 6.

Claim Four – Wrongful Death Based on Negligence

Question 6:

Have the plaintiffs proven by a preponderance of the evidence that any of the following defendants acted negligently?

Deputy Richard Ochoa-Garcia YES X NO

Deputy Jasen Tapia YES X NO

If you answered “Yes” to this question as to any of the defendants, proceed to Question No. 7. If you answered “No” to this question as to all of the defendants, proceed to Question No. 8.

Question No. 7:

In determining whether Nicholas Robertson was contributorily negligent and using 100% as the total, what percentage of responsibility for Nicholas Robertson’s death do you assign to the following persons:

Nicholas Robertson 33.33%

Deputy Richard Ochoa-Garcia 33.33%

Deputy Jasen Tapia 33.33%

Please proceed to Question No. 8.

1
2 **Damages for Claims Two, Three, and Four**

3 **Question 8:**

4 If you answered “Yes” in response to Question No. 4 as to Nekesha
5 Robertson, N.Z.R., N.P.R., and/or N.D.R., Question No. 5, and/or Question No. 6,
6 what is the total amount of non-economic damages proven by a preponderance of
7 the evidence?

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9 Nekesha Robertson \$0
10
11 N.Z.R. \$1,200,000.00 (one million two hundred thousand)
12
13 N.P.R. \$1,200,000.00 (one million two hundred thousand)
14
15 N.D.R. \$1,200,000.00 (one million two hundred thousand)
16
17

18 DATED: January 10, 2018.
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22

23 Marsha J. Pechman
24 United States District Judge
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